

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**REID FRIEDMAN, on behalf of himself  
and all others similarly situated,**

**Plaintiff,**

**V.**

**PENSON WORLDWIDE, INC. et al.,**

## Defendants.

**Civil Action No. 3:11-cv-02098-O**

## ORDER GRANTING CO-LEAD COUNSEL’S MOTION FOR AWARD OF ATTORNEYS’ FEES AND REIMBURSEMENT OF EXPENSES

Before the Court is Co-Lead Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses (ECF No. 87). Upon consideration of all papers submitted thereon; notice of the request having been given to the potential members of the Settlement Class; the Court having held a hearing on August 23, 2013, at which all persons who received notice had the opportunity to present their views; and, the Court being fully apprised of the relevant facts and circumstances;

Based on the record before the Court as well as the presentation of Co-Lead Counsel to the Court at the August 23, 2013 hearing, pursuant to Rule 23(h)(3) of the Federal Rules of Civil Procedure, the Court finds the following factors support the conclusion that Co-Lead Counsel's request for attorneys' fees is fair and reasonable under the circumstances of this case:

- a. the substantial time and labor involved;
- b. the magnitude and complexities of the litigation;
- c. the quality of the representation;

- d. the customary fee in similar cases and for similar work;
- e. the risks associated with the litigation;
- f. the considerable time limitations associated with the litigation;
- g. the results achieved for the Settlement Class;
- h. the skills, reputation, ability, and experience of counsel;
- i. the undesirability of the case; and
- j. the amount of the requested fee in relation to the settlement.

The Court further finds that Plaintiff's Counsel's litigation expenses were reasonably incurred in the prosecution of this case.

Therefore, it is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. The Court hereby grants an award of attorneys' fees to be paid from the Settlement Fund, equal to 33⅓% (\$2,166,540) of the settlement fund ("Settlement Fund").
2. This fee award shall be allocated among counsel by Co-Lead Counsel, Kaplan Fox & Kilsheimer LLP ("Kaplan Fox") and Schneider Wallace Cottrell Brayton Konecky LLP ("Schneider Wallace"), in a manner which Kaplan Fox and Schneider Wallace determine, in good faith, reflects the contributions of counsel to the prosecution of this litigation and the recovery obtained on behalf of the Settlement Class.
3. The Court hereby grants Co-Lead Counsel's application for reimbursement of litigation expenses in the amount of \$252,160.20 to be paid from the Settlement Fund. The Court finds that these expenses were reasonably incurred in the prosecution of this litigation.

**SO ORDERED** on this **23rd day of August, 2013.**